

FILE NO. 990546ORDINANCE NO. 177-99

1 [Sensitivity Training Requirement for Providers of Youth Services and City Employees]  
 2 AMENDING PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE  
 3 CODE) BY ADDING CHAPTER 12N, SECTION 12N.1 THROUGH SECTION 12N.4,  
 4 THERETO TO REQUIRE THAT ALL CONTRACTS BETWEEN THE CITY AND  
 5 ORGANIZATIONS THAT ENGAGE IN YOUTH SERVICES CONTAIN A REQUIREMENT  
 6 THAT SUCH ORGANIZATION PROVIDE LESBIAN, GAY, BISEXUAL, AND TRANSGENDER  
 7 SENSITIVITY TRAINING FOR ANY EMPLOYEE OR VOLUNTEER WHO HAS DIRECT  
 8 CONTACT WITH YOUTH OR WHOSE WORK DIRECTLY AFFECTS YOUTH, AND THAT  
 9 ANY CITY EMPLOYEE WHO HAS DIRECT CONTACT WITH YOUTH OR WHOSE WORK  
 10 DIRECTLY AFFECTS YOUTH UNDERGO LESBIAN, GAY, BISEXUAL, AND  
 11 TRANSGENDER SENSITIVITY TRAINING.

12 Note: This entire section is new.

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. **Findings.** The Board of Supervisors of the City and County of San  
 15 Francisco hereby finds and declares as follows:

16 A. In May, 1998, the City and County of San Francisco created the Lesbian, Gay,  
 17 Bisexual, Transgender, Queer and Questioning Youth Task Force to recommend to the Board  
 18 of Supervisors the adoption of legislation to ensure the full implementation of the 1996 San  
 19 Francisco Human Rights Commission's recommendations regarding the needs of Lesbian,  
 20 Gay, Bisexual, Transgender, Queer and Questioning Youth.

21 B. There are a number of issues confronting Lesbian, Gay, Bisexual, Transgender,  
 22 Queer and Questioning Youth including higher rates of homelessness, parental rejection, low  
 23 self-esteem, verbal and/or physical harassment and assault, suicide, and lack of access to  
 24 health care and HIV education, and suicide prevention which impact these youth at far higher  
 25 rates than other youth populations.

SUPERVISORS AMMIANO, LENO, KATZ, BIERMAN, TENG, NEWSOM, BROWN  
 BOARD OF SUPERVISORS

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1 C. There are numerous hate crimes committed against persons based solely on their  
2 lesbian, gay, bisexual, or transgender status both nationwide and within the City and County  
3 of San Francisco. Numerous studies have indicated that if a person is "sensitized" or knows  
4 other lesbian, gay, bisexual, or transgender persons, there is a marked decrease in his or her  
5 propensity to commit such hate crimes.

6 D. City employees and youth-serving organizations' employees and volunteers who  
7 have direct contact with youth or whose work directly affects lesbian, gay, bisexual, and  
8 transgender youth often have little or no training regarding this community's specific issues  
9 and needs.

10 E. A requirement that City employees and youth-serving organizations' employees  
11 and volunteers undergo lesbian, gay, bisexual and transgender sensitivity training may result  
12 in overall improvements in the system of care to this community.

13 Section 2. Part I of the San Francisco Municipal Code (Administrative Code) is hereby  
14 amended by adding Chapter 12N, Sections 12N.1 through Section 12N.4, to read as follows:

15 Section 12N.1. **Definitions.** As used in this Chapter the following words and phrases  
16 shall have the meanings indicated herein:

17 (a) "City" shall mean the City and County of San Francisco.

18 (b) "Contract" shall mean an agreement (however titled including, without limitation, a  
19 memorandum of understanding) to grant or otherwise provide funds to an organization for  
20 youth services, including funds from another governmental entity administered through the  
21 City or any City commission, board, agency or department. "Contract" shall not include (1) an  
22 agreement to provide goods to the City pursuant to bids or requests for proposals, where the  
23 City is the end user of the goods or (2) an agreement to provide services or benefits to City  
24 employees and/or to their family members, dependents, or their other designated  
25 beneficiaries.

1 (c) "Organization" shall mean any corporation formed under California law for any  
2 private, public or charitable purpose, or any collaborative, which receives a cumulative total  
3 per year of at least \$50,000 in City-provided or City-administered funds.

4 (d) "Sensitivity Training" shall mean any program provided from a list of providers  
5 whose programs have been reviewed and approved by a joint Human Rights Commission and  
6 Youth Commission committee and shall include, but is not limited to, training regarding issues  
7 faced by disabled, HIV positive, immigrant, persons of color, sexually abused, runaways from  
8 non-accepting households, and homeless lesbian, gay, bisexual, transgender, queer, and  
9 questioning youth.

10 (e) "Youth Services" shall mean child care, including after school care; job readiness,  
11 training and placement; health, including mental health and substance abuse; social services;  
12 homeless prevention, housing or shelter programs or services; education; recreation;  
13 delinquency prevention; and library services programs directed at or designed to serve  
14 children or youth between the ages of ten and eighteen years old, or older as defined by the  
15 organization.

16 **Section 12N.2. Contract Language Requiring Youth Service Providers To Provide**  
17 **Lesbian, Gay, Bisexual, And Transgender Sensitivity Training For Any Employee Or**  
18 **Volunteer Who Has Direct Contact With Youth Or Whose Work Directly Affects Youth.**

19 (a) Each contracting agency of the City or any department thereof, acting for or on  
20 behalf of the City, shall include in every solicitation for youth services under the competitive  
21 contractor selection process, provisions requiring any organization submitting such a proposal  
22 or request to provide lesbian, gay, bisexual, and transgender sensitivity training for any  
23 employee or volunteer who has direct contact with youth, or whose work directly affects youth,  
24 as part of its proposal or request.

1 (b) Each contracting agency of the City or any department thereof, acting for or on  
2 behalf of the City, shall include in all contracts between it and any organization that is subject  
3 to this Chapter a provision requiring lesbian, gay, bisexual, and transgender sensitivity training  
4 for any employee or volunteer who has direct contact with youth or whose work directly affects  
5 youth. The contract shall require the organization to conduct such a training on an annual  
6 basis, unless the contracting agency of the City or any department thereof requires more  
7 frequent trainings. The contract shall require the organization to provide documentation  
8 certifying to its Board of Directors and the City agency or department administering the  
9 contract that such a training was conducted and the requirements of the training were fulfilled  
10 on an annual basis.

11 (c) In furtherance of the purposes of this Chapter, the Controller, in consultation with  
12 the City Attorney, shall create the provisions described in subsections (a) and (b), above,  
13 consistent with the provisions of this Chapter.

14 (d) Each City department or agency administering contracts with organizations  
15 providing youth services shall provide copies of the documentation certifying that such  
16 trainings were conducted, as required in Chapter 12N of the San Francisco Administrative  
17 Code, to the Commission, if any, that oversees the sponsoring department or agency and the  
18 San Francisco Youth Commission.

19 (e) Failure to comply with any provision required by this Chapter shall constitute a  
20 material breach of the contract, and may be grounds for termination of the contract. Every  
21 City agency or department must report all contract breaches to the Human Rights  
22 Commission at their next regularly scheduled meeting.

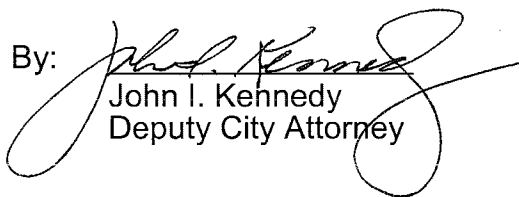
23 **Section 12N.3. Requirement That City Departments Provide Lesbian, Gay,**  
24 **Bisexual, And Transgender Sensitivity Training For Any City Employee Who Has Direct**  
25 **Contact With Youth Or Whose Work Directly Affects Youth.**

1 Each City department shall provide lesbian, gay, bisexual, and transgender sensitivity  
2 training for any employee who has direct contact with youth or whose work directly affects  
3 youth.

4 Section. 12N.4. **Effective date.** This Chapter shall not apply to any contract for which  
5 a solicitation was issued 90 days following the effective date of this Chapter. This Chapter shall  
6 apply to all contracts for which a solicitation was issued more than 90 days following the  
7 effective date of this Chapter.

8  
9 APPROVED AS TO FORM:

10 LOUISE H. RENNE, City Attorney

11  
12 By:   
13 John I. Kennedy  
14 Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

**File Number:** 990546

**Date Passed:**

Ordinance amending Administrative Code by adding Chapter 12N, Section 12N.1 through Section 12N.4, to require that all contracts between the City and organizations that engage in youth services contain a requirement that such organization provide lesbian, gay, bisexual and transgender sensitivity training for any employee or volunteer who has direct contact with youth or whose work directly affects youth, and that any City employee who has direct contact with youth or whose work directly affects youth undergo lesbian, gay, bisexual and transgender sensitivity training.

June 7, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

June 14, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

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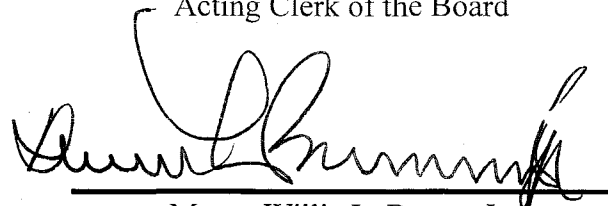
I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on June 14, 1999 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
\_\_\_\_\_

Jean Lum  
Acting Clerk of the Board

**JUN 25 1999**

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Date Approved

  
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Mayor Willie L. Brown Jr.

File No. 990546 continued...